



Montgomery County Maryland Department of Permitting Services

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METAL STORAGE CONTAINERS CODE INTERPRETATION/POLICY

Code/Year	Section of Code	Title of Code Section/Subsection/Policy
BNBC (BOCA)/1996 and	101.2, 107.1	Scope, Permit Application
CABO / 1995	103.1	Scope
MCC Chapter 59	Sec. 59-A-3.1, 3.2	Building Permit, Use-and-Occupancy Permit

Statement/Background of Issue

The current building code (BOCA/1996, CABO/1995); and the Montgomery County Zoning Ordinance Chapter 59, require the issuance of a building permit before any structure may be constructed, moved, installed or enlarged. In addition, for other than structures used exclusively for agricultural purposes or incidental to a residential use, a use-and-occupancy permit must be obtained. The use and installation of metal storage containers, commonly known as Conex boxes or sea-containers, has proliferated throughout the County without obtaining the required permits. When discovered, many property owners have stated the containers are temporary, and only needed while construction activities are taking place on the property. However, the containers are in place for months at a time, and many owners use them in place of constructing permanent new buildings. They are often installed without inspection or regard for setback or other location requirements, and used as occupiable buildings lacking the necessary safe egress. The purpose of this policy is to identify permitting requirements for these structures, and to certify these structures are inspected and certified for safe use and installation.

Department Interpretation/policy

1. Building permits will not be required for metal storage containers installed on residentially zoned property for seven days or less. Building permits only are required for all metal storage containers installed on residentially zoned property for eight days or more as an accessory structure, used as or in place of a storage shed, except those structures used exclusively for agricultural purposes on land used exclusively for agriculture. Minimum setback and location requirements apply to all installations which require building permits.
2. Use-and-occupancy permits are required for all metal storage containers installed and used for storage purposes on commercial or industrial zoned property. In zones where "Storage, outdoor" is a permitted use, and empty containers are being stored, neither building nor use-and-occupancy permits are required for the container. Minimum setback and location requirements apply to all other installations.
3. Permanent metal storage containers are not permitted in the right-of-way. Permitted metal storage containers as identified in #1 and #2, if located in the right of way, on a temporary basis, will require an additional permit for work in the right of way.

Interpretation/Policy No.	Date	Division Chief
02-1	February 4, 2002	Reginald Jetter 